

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE HERLEY INDUSTRIES INC.
SECURITIES LITIGATION

CIVIL ACTION

No. 06-2596 (JRS)

CLASS ACTION

DECLARATION OF IRA M. PRESS

Ira M. Press declares, pursuant to 28 U.S.C. § 1746:

1. I am a member of the law firm of Kirby McInerney LLP, counsel for lead plaintiff in the above-captioned action. I am a member in good standing of the Bar of the State of New York, and have permission to appear in this matter *pro hac vice* by Order of the Court dated August 21, 2006.

2. I respectfully submit this Declaration in support of Plaintiffs' Motion in Limine to Preclude Defendants From Asserting Reliance on the Advice of Counsel as a Defense in this Action, and to authenticate copies of materials to be considered in connection with that motion.

Submitted herewith are true and correct copies of the following:

- Exhibit 1: Selected pages from the May 28, 2009 deposition of Lee Blatt.
- Exhibit 2: Selected pages from the April 9, 2009 deposition of Charles Pourciau, Jr.
- Exhibit 3: Selected pages from the June 15, 2009 deposition of Thomas Gilboy.
- Exhibit 4: Selected pages from the May 6, 2009 deposition of Edward Bogucz.
- Exhibit 5: Defendants' July 1, 2008 Rule 26(a)(1) Initial Disclosures.
- Exhibit 6: Defendants' May 27, 2008 Objections and Responses to Plaintiffs' First Request for the Production of Documents.

- Exhibit 7: Defendant Herley Industries, Inc.'s privilege log.
- Exhibit 8: Defendant Herley Industries, Inc.'s supplemental privilege log.
- Exhibit 9: Selected pages from the April 1, 2009 deposition of Edward K. Walker, Jr.
- Exhibit 10: Selected pages from the June 2, 2009 deposition of John Thonet.
- Exhibit 11: The August 14, 2009 Report of Albert S. Dandridge, III (excluding attachments).
- Exhibit 12: Selected pages from the September 16, 2009 deposition of Albert S. Dandridge, III.
- Exhibit 13: Selected pages from the May 13, 2009 deposition of Myron Levy.
- Exhibit 14: Selected pages from Herley Industries, Inc.'s November 29, 2004 Form DEF 14A.

I declare, under penalty of perjury pursuant to the laws of the United States, that the foregoing is true and correct.

Dated: December 17, 2009
New York, New York

/s/ Ira M. Press
Ira M. Press, Esq.